

1 Thierry V. Barkley, Esq.  
(Nevada Bar No. 724)  
2 Thorndal, Armstrong, Delk,  
Balkenbush & Eisinger  
3 6590 S. McCarran Blvd., Ste. B  
Reno, NV 89509

4 Interim Lead Counsel for Litigation Group

FILED  
03 NOV 14 PM 2:02  
LANCE S. WILSON  
CLERK  
BY \_\_\_\_\_

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7  
8 IN THE UNITED STATES DISTRICT COURT  
9 FOR THE DISTRICT OF NEVADA  
10

11 THOMAS A. DILLON, Independent  
Fiduciary of Employers Mutual Plans,

12 Plaintiff,

13 vs.

14 JAMES LEE GRAF, et al

15 Defendants.  
16

CV- N-03-0119 HDM(VPC)

**AFFIDAVIT IN SUPPORT OF INTERIM  
LEAD COUNSEL'S STATEMENT FOR  
SERVICES**

17  
18 COMES NOW Thierry V. Barkley, Esq. being first duly sworn, deposes and states as  
19 follows:

- 20 1. Affiant has personal knowledge of the facts herein and is competent to testify thereto;
- 21 2. Affiant was designated Interim Lead Counsel for the Litigation Group in accordance  
22 with this Court's initial Order entered on September 10, 2003;
- 23 3. In conjunction with this designation, Affiant set up an administrative file identified as  
24 LEADDEF-ADMIN in order to properly segregate all activities for the work product for this  
25 litigation group;
- 26 4. Attached hereto as Exh. 1 is the original statement for services related to these  
27 activities from September 11, 2003 through October 30, 2003;
- 28 5. This statement is submitted for the Court's review and approval in accordance with

1 this Court's Case Management Ordered entered October 22, 2003;

2 6. Affiant certifies herein that invoice no. 52490 dated November 10, 2003 relates to all  
3 activities performed for the Lead Litigation Group which were reasonably and necessarily  
4 incurred in this regard;

5 7. Affiant further certifies that the costs identified on p.17 were also reasonably and  
6 necessarily incurred for this particular litigation group;

7 8. Affiant respectfully requests the Court's approval of the statement for services in the  
8 amount of \$8,696 for professional fees and for \$1,327.02 for costs for a total of \$10,023.02.

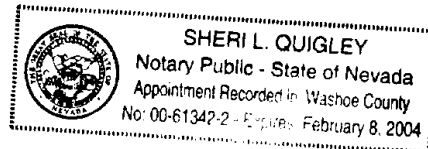
9  
10 FURTHER YOUR AFFIANT SAYETH NAUGHT.

11  
12  
13 

14 THIERRY V. BARKLEY

15 SUBSCRIBED and SWORN to  
16 before me this 13<sup>th</sup> day of November, 2003.

17   
18 NOTARY PUBLIC





THORNDAL, ARMSTRONG, DELK, BALKENBUSH & EISINGER  
P.O. Drawer 2070  
Las Vegas, NV 89125-2070  
IRS #88-0111721 (702) 366-0622

11/10/03

U.S. District Court  
Bruce R. Thompson Courthouse  
c/o Lead Counsel Litigation Trust Acct.  
400 S. Virginia St.  
Reno, NV 89501

OUR FILE NUMBER: LEADDEF-ADMIN/TVB  
Invoice No. 52490

Re: Thomas Dillon

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DUE AND PAYABLE UPON RECEIPT  
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	Emp	Services Performed	Hours	Amount
09/11/03	TVB	Prepare internal administrative file and instructions on set up.	0.3	48.00
09/11/03	TVB	Phone conference with defense firm (Benjaime)	0.1	16.00
09/11/03	TVB	Phone conference with defense firm (Brooks).	0.1	16.00
09/11/03	TVB	Phone conference with defense firm Bunnell.	0.1	16.00
09/11/03	TVB	Phone conferences with defense firm Campbell.	0.3	48.00
09/11/03	TVB	Phone conference with defense firm (Kirkmen).	0.1	16.00
09/11/03	TVB	Phone conference with defense firm Joseph.	0.1	16.00
09/11/03	TVB	Phone conference with defense firm (Fields).	0.3	48.00
09/11/03	TVB	Phone conference with defense firm Madrid.	0.1	16.00
09/11/03	TVB	Phone conference with defense firm McHaffery	0.1	16.00
09/11/03	TVB	Phone conference with defense firm Marchese.	0.1	16.00
09/11/03	TVB	Phone conference with defense firm Morris.	0.1	16.00
09/11/03	TVB	Phone conference with		

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Re: Thomas Dillon

	Emp	Services Performed	Hours	Amount
		defense firm Perry.	0.1	16.00
09/11/03	TVB	Phone conference with defense firm Vohl.	0.1	16.00
09/11/03	TVB	Phone conference with defense firm Roebig.	0.1	16.00
09/11/03	TVB	Phone conference with defense firm Scpiece.	0.1	16.00
09/11/03	TVB	Phone conference with defense firm Suazo.	0.3	48.00
09/11/03	TVB	Phone conference with defense firm Thomas.	0.1	16.00
09/11/03	TVB	Phone conference with defense firm Woodard.	0.1	16.00
09/11/03	TVB	Phone conference with defense firm Weil.	0.1	16.00
09/11/03	TVB	Phone conference with defense firm Wray.	0.1	16.00
09/12/03	TVB	Phone conference with defense counsel Vellis.	0.3	48.00
09/12/03	TVB	Conference with defense counsel (Madrid).	0.3	48.00
09/12/03	TVB	Conference with defense counsel Suaza.	0.3	48.00
09/12/03	TVB	Phone conference with defense counsel Campbell.	0.1	16.00
09/12/03	TVB	Phone conference with defense counsel Morris.	0.3	48.00
09/12/03	TVB	Prepare dictate letter to potential non settling defense firms re designation process and case management order.	0.5	80.00
09/15/03	TVB	Phone conference with counsel (Wait) (re settling status).	0.1	16.00
09/15/03	TVB	Phone conference with counsel Vellis re still undecided on settlement.	0.3	48.00
09/15/03	TVB	Review email from counsel for Sierra Administrators re comments on depository.	0.1	16.00
09/15/03	TVB	Review email from John Gibson re one client		

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Re: Thomas Dillon

	Emp	Services Performed	Hours	Amount
		settling and one client non settling.	0.1	16.00
09/15/03	TVB	Phone conference with counsel Perry (re role of Chris Ashiotes) outside lead committee.	0.3	48.00
09/15/03	TVB	Phone conference with Sierra Legal re joint depository scheme.	0.2	32.00
09/15/03	TVB	Phone conference with Shpiece re status on settlement pending.	0.3	48.00
09/15/03	TVB	Prepare tentative draft revisions to Case Management Order re clauses on lead counsel designation, role and assessment formula.	1.5	240.00
09/15/03	TVB	Review email from John Goldsmith re proposal for language on role of lead committee re joint motions.	0.2	32.00
09/16/03	TVB	Review email from William Selert (re interest on lead committee participation) (Steetson Beemer).	0.1	16.00
09/16/03	TVB	Review email from John Woodard (re Montgomery) (limited resources).	0.1	16.00
09/16/03	TVB	Conference with counsel for Horizon Insurance (re status of settlement and pending decision).	0.3	48.00
09/16/03	TVB	Phone conference with John Goldsmith re proposed case management structure for lead counsel.	0.3	48.00
09/16/03	TVB	Review email from counsel (Mike Alexander) re decision to be placed in non settling group.	0.1	16.00

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Re: Thomas Dillon

	Emp	Services Performed	Hours	Amount
09/16/03	TVB	Additional research re formulas for assessments or funds for lead counsel (litigation).	1.0	160.00
09/16/03	TVB	Prepare final draft Case Management Order (with additional revisions on lead counsel and revised schedule).	1.5	240.00
09/17/03	RLA	Telephone call with AT&T Teleconference Services Operator to set up and schedule conference call on 9/22/03 with counsel.	0.2	16.00
09/17/03	TVB	Phone conferences with Sierra Legal re confirmation of availability as a proposed depository.	0.3	48.00
09/17/03	TVB	Prepare dictate letter to lead counsel for Settlement group (re status of proposed funding mechanism and revised draft case management order.	0.3	48.00
09/17/03	TVB	Prepare dictate letter to proposed lead counsel panel or litigation committee re revised case management order and ATT conference scheduled for Sept. 22, 2003.	0.5	80.00
09/17/03	TVB	Prepare memorandum re format for ATT conference call and suggested phone participants.	0.2	32.00
09/17/03	TVB	Review email from counsel Bradley Thomas re not available until 9/18th.	0.1	16.00
09/17/03	TVB	Prepare emails to proposed lead counsel or litigation committee with attached draft case management order.	0.2	32.00

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Re: Thomas Dillon

	Emp	Services Performed	Hours	Amount
09/17/03	TVB	Prepare email to lead settlement counsel Durant.	0.1	16.00
09/17/03	TVB	Prepare final draft case management order and related exhibits.	1.1	176.00
09/18/03	TVB	Review email from defense counsel Morris (re OK on draft case management order).	0.1	16.00
09/18/03	TVB	Review email from counsel for Sierra Administrators re lead counsel status and draft case management order.	0.1	16.00
09/18/03	TVB	Review email from counsel for Ashiotes re OK on draft case management order.	0.1	16.00
09/18/03	TVB	Review second email from counsel for Sierra Administrators re decision not to participate in lead counsel structure.	0.1	16.00
09/18/03	TVB	Review list of proposed conference participants for ATT joint conference call on Monday Sept. 22nd.	0.1	16.00
09/19/03	TVB	Review letter from counsel (John Woodward) (Montgomery).	0.1	16.00
09/19/03	TVB	Phone conference with potential member for lead counsel panel (Bradley Thomas).	0.3	48.00
09/19/03	TVB	Review letter from Bradley Thomas re commitment to lead committee.	0.1	16.00
09/19/03	TVB	Prepare email to defense counsel Balkenbush re proposed structure for lead committee.	0.1	16.00
09/19/03	TVB	Phone conference with ATT conference operator re change for Mason Thomas participant.	0.1	16.00
09/22/03	TVB	Phone conference with Ken		



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	Emp	Services Performed	Hours	Amount
09/22/03	TVB	Holm re current pending decision re settlement and joining litigation group.	0.3	48.00
		Conference with associate for Steve Balkenbush re participation at joint conference re designation lead counsel.	0.3	48.00
09/22/03	TVB	Phone conference with co lead counsel John Goldsmith.	0.3	48.00
09/22/03	TVB	Phone conference with Kevin Elder re Thomas group.	0.3	48.00
09/22/03	TVB	Phone conference with Jack Angaran re status on participation with lead committee.	0.3	48.00
09/22/03	TVB	Phone conference with counsel Joseph Garin re ATT conference call.	0.1	16.00
09/22/03	TVB	Phone conference with counsel Von Heinz re lead committee.	0.3	48.00
09/22/03	TVB	Prepare memo re second ATT conference call for Friday 9/26th.	0.1	16.00
09/22/03	TVB	Limited research re alternate funding mechanisms for assessments.	0.5	80.00
09/22/03	TVB	Prepare dictate letter to proposed committee members non settling group.	0.4	64.00
09/22/03	TVB	Attend Joint ATT conference call with interested firms for lead counsel and review proposed mechanisms draft Case Management Order.	1.2	192.00
09/22/03	TVB	Prepare dictate letter to lead settlement counsel.	0.4	64.00
09/23/03	RLA	Telephone conference AT&T Teleconference Services Operator to set up and schedule conference call on 9/26/03 with counsel.	0.2	16.00

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	Emp	Services Performed	Hours	Amount
09/23/03	TVB	Phone conference with principal owner Sierra Legal.	0.2	32.00
09/23/03	TVB	Review letter and proposal for handling depository for Dillon matter.	0.1	16.00
09/23/03	TVB	Phone conference with Ken Holm re still pending decision on settling or joining litigation group.	0.3	48.00
09/23/03	TVB	Phone conference with defense counsel for Sierra Administrators re status of hearings.	0.1	16.00
09/23/03	TVB	Research re alternate funding mechanism for defense lead counsel positions.	0.9	144.00
09/26/03	TVB	Phone conference with Stephen Durant re proposal to co chair settlement group and liaison.	0.3	48.00
09/26/03	TVB	Phone conference with defense counsel (Angaran) re status of proposed structure for lead committee.	0.3	48.00
09/26/03	TVB	Conference with associate for Steve Balkenbush re participation at joint telephonic conference call.	0.3	48.00
09/26/03	TVB	Prepare email with suggestions to lead counsel Goldsmith re preparation of Oct. 2, 2003 report.	0.1	16.00
09/26/03	TVB	Phone conference with lead counsel Goldsmith (left message) (re same).	0.1	16.00
09/26/03	TVB	Review email from defense counsel Angaran re status of settling defendants and previous communications by Durant re same.	0.1	16.00

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Re: Thomas Dillon

	Emp	Services Performed	Hours	Amount
09/26/03	TVB	Attend and host joint telephonic conference call with defense firms re formation of lead counsel structure and invite comments.	1.6	256.00
09/26/03	TVB	Prepare amended draft case management order for meet and confer and submission to Brace.	1.5	240.00
09/29/03	TVB	Phone conference with Goldsmith re same.	0.1	16.00
09/29/03	TVB	Review email from John Goldsmith re preparation of report to Court.	0.1	16.00
09/29/03	TVB	Prepare dictate letter to Brace re final draft Case Management Order for meet and confer.	0.3	48.00
09/30/03	TVB	Phone conference with lead counsel Goldsmith re proposed report and recommendation on lead counsel committee.	0.3	48.00
09/30/03	TVB	Phone conference with Brad Thomas re designation of committee.	0.3	48.00
09/30/03	TVB	Phone conference with counsel for ABS re anticipated disclosure of new potential defendant agents by October 10th.	0.3	48.00
09/30/03	TVB	Review comments from Joseph Garin re proposal for lead committee.	0.1	16.00
09/30/03	TVB	Review letter from Jack Angaran raising objections to lead counsel designation and certification.	0.1	16.00
09/30/03	TVB	Prepare draft Lead Counsel report and recommendation for lead counsel committee structure.	1.5	240.00

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	Emp	Services Performed	Hours	Amount
09/30/03	TVB	Prepare email to lead counsel Goldsmith re same.	0.1	16.00
09/30/03	TVB	Review email from lead counsel and incorporate for final draft.	0.3	48.00
09/30/03	TVB	Prepare final draft Case Management Order for transmittal and meet and confer.	0.5	80.00
10/01/03	TVB	Phone conference with counsel for ABS confirming potential list of additional 147 new retail sub agents.	0.3	48.00
10/01/03	TVB	Prepare email to lead defense counsel re same.	0.1	16.00
10/01/03	TVB	Prepare dictate Notice of Transmittal to defense firms re proposed case management order.	0.5	80.00
10/01/03	TVB	Review email from Joseph Garin re status of proposed written comments.	0.1	16.00
10/01/03	TVB	Review email from counsel (Von Heinz) re withdrawal by AIG.	0.1	16.00
10/01/03	TVB	Prepare final draft Lead Counsel's report and related exhibits.	0.5	80.00
10/01/03	TVB	Review Original Transcript of Proceedings 9/10/03.	0.4	64.00
10/02/03	TVB	Prepare email to counsel for ABS re concerns on early disclosure of new potential defendant/agents.	0.1	16.00
10/02/03	TVB	Phone conference with counsel for ABS re confirmation of that information on potential new defendant/agents were disclosed to counsel for Fiduciary.	0.3	48.00
10/02/03	TVB	Prepare email to lead		

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Re: Thomas Dillon

Emp	Services Performed	Hours	Amount
10/02/03 TVB	counsel re agreement on case management scheme with pending revisions on request for duplicate documents to be transmitted to both depository and Brace.	0.1	16.00
10/02/03 TVB	Prepare revised draft case management re depository scheme and duplicate transmittal to Fiduciary's counsel.	0.5	80.00
10/02/03 TVB	Phone conference with Brace (re status on draft case management).	0.1	16.00
10/02/03 TVB	Phone conference with Brace re proposed revisions to initial transmittal of materials for depository; proposed amended complaint for new defendant agents (20+); receipt of disclosure of potential group of new defendants from ABS materials; agreement to employ final draft case management scheme with minor revisions on documents depository scheme.	0.3	48.00
10/03/03 TVB	Review letter from counsel for American Benefit Society to Brace re transmittal of CD.	0.1	16.00
10/03/03 TVB	Review letter to Brace re transmittal of CD and dbase on ABS producing agents.	0.1	16.00
10/03/03 TVB	Prepare revised case management order re (request by Brace).	0.5	80.00
10/03/03 TVB	Review email from lead counsel Brad Mason re revisions and proposed corrections on schedule.	0.1	16.00

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	Emp	Services Performed	Hours	Amount
10/03/03	TVB	Prepare final draft revised case management order and email to lead counsel for review (incorporated changes to schedule).	0.5	80.00
10/03/03	TVB	Review ABS CD, download and review list of producing agents and related summary of policies issued.	1.7	272.00
10/06/03	TVB	Review letter and fax from defense counsel Joseph Garin with belated comments on lead counsel structure.	0.1	16.00
10/06/03	TVB	Prepare email re same to Joseph Garin re report filed Oct. 2nd.	0.1	16.00
10/06/03	TVB	Review fax from lead counsel Goldsmith including email from pro se defendant Gary Bastie.	0.1	16.00
10/06/03	TVB	Review email from lead counsel Goldsmith with proposed final revisions re handling joint motions.	0.1	16.00
10/06/03	TVB	Prepare final revised draft CMO incorporating last minute revisions by Durant and Goldsmith.	0.5	80.00
10/06/03	TVB	Prepare email re same to lead counsel and proposed joint telephonic conference call for Wednesday 10/8th.	0.1	16.00
10/07/03	TVB	Prepare dictate letter to counsel for ABS re disclosures and proposed joint motion practice.	0.3	48.00
10/07/03	TVB	Phone conference with new defense counsel Clinton McKahill.	0.1	16.00
10/07/03	TVB	Phone conference with lead counsel Goldsmith (left message).	0.1	16.00
10/07/03	TVB	Prepare emails to lead		

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	Emp	Services Performed	Hours	Amount
		counsel committee re proposed joint telephonic conference call.	0.1	16.00
10/07/03	TVB	Review emails re confirmation for joint conference call.	0.1	16.00
10/07/03	TVB	Prepare dictate letter to counsel for Fiduciary re proposed final draft CMO.	0.3	48.00
10/07/03	TVB	Conference with associate counsel for defendants retail agents (Balkenbush group) (re status inquiry on Florida class actions).	0.3	48.00
10/08/03	TVB	Phone conference with counsel for new defendant Shiela Williams.	0.3	48.00
10/08/03	TVB	Review letter from counsel for Williams requesting assistance.	0.1	16.00
10/08/03	TVB	Prepare and attend joint telephonic conference call with lead counsel Goldsmith and Thomas re final draft CMO and proposed rate structure.	1.0	160.00
10/08/03	TVB	Prepare dictate rate proposal report for submission to Court.	0.5	80.00
10/08/03	TVB	Prepare email to lead counsel re draft rate proposal recommendation.	0.1	16.00
10/08/03	TVB	Prepare final revised draft CMO for transmittal to Fiduciary Counsel in compliance with final stage meet and confer.	0.5	80.00
10/08/03	TVB	Prepare dictate letter to counsel for Williams re status of litigation and proposed case management order.	0.3	48.00
10/08/03	TVB	Prepare memo re update		

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Re: Thomas Dillon

	Emp	Services Performed	Hours	Amount
		service matrix to include counsel for Williams.	0.1	16.00
10/09/03	TVB	Review Court Ordered Answers to Rogs by Defendant Hasselmaier.	0.1	16.00
10/09/03	TVB	Review letter directed to Clerk from defense counsel Garin re belated letter on objections to lead counsel structure.	0.1	16.00
10/09/03	TVB	Phone conference with defense counsel (Ken Holm) re status on court ordered interrogatories and case management order.	0.3	48.00
10/09/03	TVB	Review email from lead defense counsel Thomas re proposed rate recommendation report.	0.1	16.00
10/09/03	TVB	Prepare final draft rate recommendation report for transmittal to lead counsel.	0.3	48.00
10/09/03	TVB	Prepare dictate letter to lead counsel Goldsmith (re original rate recommendation report).	0.3	48.00
10/10/03	TVB	Review email from lead counsel re OK on proposed report regarding rate recommendation.	0.1	16.00
10/10/03	TVB	Prepare email to Plaintiff's counsel re status of review final draft CMO.	0.1	16.00
10/10/03	TVB	Review email from counsel for Fiduciary re OK to present final draft CMO.	0.1	16.00
10/10/03	TVB	Prepare dictate Notice of Submission (re CMO) (Court) (w/service on parties).	0.3	48.00
10/10/03	TVB	Prepare dictate letter to Federal Judge and US		



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Re: Thomas Dillon

	Emp	Services Performed	Hours	Amount
10/13/03	TVB	Magistrate re submission of Case Management Order.	0.3	48.00
		Review letter from counsel for ABS requesting assistance on prior discovery in CHAO litigation.	0.1	16.00
10/13/03	TVB	Schedule conference with senior partner re status of retail agents (pre trial conference prep).	0.1	16.00
10/14/03	TVB	Conference with senior partner for firm defendants agents re preparation for Rule 16 Pre Trial Conference.	0.8	128.00
10/15/03	TVB	Review letter to lead counsel from James Hermann (re request for stay of lead counsel designation).	0.1	16.00
10/15/03	TVB	Review letter from James Hermann directed to counsel re continued objections to lead counsel designation.	0.1	16.00
10/15/03	TVB	Prepare dictate letter in response to objections noted by James Hermann.	0.3	48.00
10/15/03	TVB	Prepare email to lead counsel re final draft report by Durant confirming settlements at 65 and possible addition of 20 new defendants.	0.1	16.00
10/16/03	TVB	Conference with senior partner Charles Burcham re proposal for designation of lead counsel.	0.5	80.00
10/16/03	TVB	Prepare draft letter to US District Judge re decision to withdraw designation of lead counsel designation for litigation group.	0.3	48.00
10/16/03	TVB	Conference with senior		

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	Emp	Services Performed	Hours	Amount
10/17/03	TVB	partner Mr. Burcham re same.	0.3	48.00
		Conference with senior partner re proposal for revised designation.	0.5	80.00
10/17/03	TVB	Prepare revised designation of counsel for lead litigation group.	0.3	48.00
10/20/03	MLF	Prepare group assignment roster along with other parties involved in Dillon v. Graf litigation	1.5	120.00
10/20/03	TVB	Conference with lead counsel John Goldsmith (re proposed draft report for designation and assessment mechanism).	0.7	112.00
10/20/03	TVB	Review email from associate for Mr. Balkenbush re proposal to add Mr. Angaran.	0.1	16.00
10/20/03	TVB	Review letter from Mr. Angaran re suggested motion for dismissal on ERISA preemption.	0.1	16.00
10/20/03	TVB	Prepare draft Order for designation and mechanism for lead counsel for retail litigation group.	1.0	160.00
10/20/03	TVB	Prepare revised final draft Case Management Order re request by the Court.	1.0	160.00
10/21/03	TVB	Prepare final version of Case Management Order for delivery to Judge McKibben.	0.5	80.00
10/21/03	TVB	Prepare dictate letter to Judge McKibben with transmittal of CMO.	0.3	48.00
10/22/03	TVB	Review and execute Notice of Entry of Order (Case Management Order) (for senior partner).	0.1	16.00
10/23/03	TVB	Conference with associate counsel re recent request		

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Bruce R. Thompson Courthouse

OUR FILE NUMBER: LEADDEF-ADMIN/TVB  
 Invoice No. 52490

Re: Thomas Dillon

	Emp	Services Performed	Hours	Amount
10/23/03	TVB	by Angaran to be added to lead counsel committee for litigation group.	0.3	48.00
10/24/03	TVB	Conference with principal at Sierra Legal re depository scheme and entry of CMO.	0.3	48.00
10/24/03	TVB	Review Third Amended Complaint (adding 32 new defendants).	0.1	16.00
10/24/03	TVB	Review Notice of Dismissal (re 11 defendants).	0.1	16.00
10/24/03	TVB	Prepare final draft Order re Designation of Lead Counsel and proposed funding mechanism.	0.3	48.00
10/24/03	TVB	Prepare dictate letter re final draft Order for lead counsel designation.	0.3	48.00
10/27/03	TVB	Prepare Exhibit A (attachment) for Lead Counsel Designation Order.	0.3	48.00
10/29/03	TVB	Prepare dictate letter to lead counsel with final draft Order (re revised Exhibit A).	0.3	48.00
10/29/03	TVB	Review email from Brad Mason (re OK to proceed with proposed Order).	0.1	16.00
10/30/03	TVB	Prepare draft respective alternate Orders Designating Counsel and including Jack Angaran.	0.5	80.00
10/30/03	TVB	Review email from Bradley Thomas re authority to proceed with proposed Order for Designation.	0.1	16.00
10/30/03	TVB	Prepare dictate letter to Judge McKibben re submission of proposed Orders Designation of Lead Counsel for litigation group.	0.1	16.00

THORNDAL, ARMSTRONG, DELK, BALKENBUSH &amp; EISINGER

11/10/03

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Professional fees thru: 10/31/03      55.3      \$8,696.00

Emp	Hours	Rate	Amount
Thierry V. Barkley, Associate	53.40	160.00	8,544.00
Michelle L. Fields	1.50	80.00	120.00
Rachel L. Atchley, Paralegal	0.40	80.00	32.00

Costs advanced	Amount
10/23/03 FedEx to Mason & Thomas	10.71
10/23/03 FedEx to Lewis & Roza	13.48
10/23/03 FedEx to John Goldsmith, Esq.	23.85
10/23/03 FedEx to Hendrick, Dewberry	37.03
10/23/03 FedEx to Von Heinz	21.63
10/23/03 FedEx to John Goldsmith, Esq.	27.03
10/23/03 FedEx to Joseph Garin	21.63
10/23/03 FedEx to Mason & Thomas	15.48
10/23/03 FedEx to Stephen Durant	27.03
10/23/03 FedEx to Mason & Thomas	13.16
10/23/03 FedEx to John Goldsmith, Esq.	44.94
10/23/03 FedEx to Stephen Durant	24.08
10/23/03 FedEx to Robert Brace, Esq.	19.35
10/23/03 FedEx to John Goldsmith, Esq.	27.03
10/23/03 FedEx to Joseph Garin, Esq.	13.48
10/30/03 Sierra Legal Duplicating - outside copying	113.39
10/30/03 Sierra Legal Duplicating - outside copying	124.13
10/30/03 Sierra Legal Duplicating - outside copying	54.98
10/30/03 U.S. Postmaster - postage/mailing of Notice of Entry of Orders	26.73
10/30/03 Sierra Legal Duplicating - outside copying	322.13
10/30/03 Sierra Legal Duplicating - outside copying/Notice of Entry of Case Management Order	345.75
Total advanced cost thru 10/31/03	\$1,327.02
Total current fees and costs 10/31/03	\$10,023.02

THORNDAL, ARMSTRONG, DELK, BALKENBUSH & EISINGER

11/10/03

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TOTAL BALANCE DUE \$10,023.02  
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NOTE: Please Include Our File No. and/or Invoice No. On Your  
Payment.

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MAKE CHECKS PAYABLE TO: THORNDAL, ARMSTRONG, DELK,  
BALKENBUSH & EISINGER -- OR T.A.D.B.E.